HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 5968 of 2007

PETITIONER Smt. Namita Rai wife of Late Shri Jagdeo Rai, aged about 43 years, A.N.M.(Nurse), Section Dauna Sub Health Centre Lanjeet, Tahsil Surajpur, District Surguja(CG)

Versus

RESPONDENTS

1. State of Chhattisgarh, through The Secretary, Department of Health and Family Welfare, DKS Bhawan, Raipur(CG)
2. The Collector, Ambikapur, District Surguja(CG)
3. The Chief Medical and Health Officer, Ambikapur, District Surguja(CG)
4. The Block Medical Officer, Odgi, Tehsil Surajpur, District Surguja(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUION OF INDIA

Appearance:

Shri O.P.Yadav, counsel for the petitioner.
Shri Vinay Pandey, Panel Lawyer for the State.

ORAL ORDER
(09.10.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

Learned counsel for petitioner argues that the petitioner is working on the post of A.N.M.(Nurse), Section Dauna, Sub Health Centre Lanjeet, Tahsil Surajpur, District Surguja (CG). He submits that though the petitioner has performed her duties in the relevant period i.e. from the month of July, 2001 to the month of July, 2006, but salary for the said period has not been paid to her. He further submits that in this regard, representations were made by the petitioner and even a legal notice dated 4.7.2007 was also sent to the Chief Medical and Health Officer, Ambikapur, District Surguja(CG) and the Block Medical Officer, Odgi, Tahsil Surajpur, District Surguja(CG). Learned counsel further submits that when the petitioner goes to make request to the concerned authority, even they do not tell

the reasons to the petitioner and the ultimate result is that the petitioner has not been paid salary for the said period.

After hearing learned counsel for the petitioner as also the State and after going through the contents of the writ petition and the documents annexed with the petition, I am of the opinion that the ends of justice would be served if the petitioner is directed to file a representation before respondent No. 3 and respondent No.3 is directed to dispose of her representation within the stipulated period granted by this Court by passing a reasoned order on the said representation.

Consequently, this petition is disposed of with a direction that if so advised, the petitioner may file a detailed representation within a period of 3 weeks from today along with a copy of this order and a copy of writ petition before respondent No.3 i.e. the Chief Medical and Health Officer, Ambikapur, District Surguja(CG) and if such a representation is filed, the said authority shall dispose of the same as early as possible preferably within a period of 30 days from the date of receipt of the said representation by passing a reasoned order on the grievance of the petitioner with regard to the issue raised in the representation as also in this writ petition.

With the above observations, this petition stands finally disposed of at this stage.

Sd/-
Sunil Kumar Sinha
Judge

sunita